

REMARKS

As an initial matter, Applicants thank Primary Examiner Akers for the courtesy of the interview on May 28, 2003. As requested by the Examiner, these remarks provide a summary of the substance of the interview. Claims 1-38, and 43-51 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,449,601 ("Friedland"), in view of U.S. Patent No. 6,510,434 ("Anderson"). Claims 43-45 stand further rejected under 35 U.S.C. §101 for failing to provide a concrete, useful, and tangible output.

Interview Summary

In the interview, Applicants discussed embodiments as recited in each of the independent claims. In particular, Applicants discussed the use of "portal tags" "provider tags" and "cross-referencing" as described in the present application. In general, portal tags define search criteria such that the search for a term will be restricted to content fields corresponding to that term's associated portal tag, while a provider tag is a tag associated with a particular content provider. These tags are cross-referenced such that each content provider's unique provider tags are associated with a standard set of portal tags. (See e.g., page 12). By utilizing these and other features of embodiments, users may easily search non-standardized, decentralized content. Further, Applicants discussed the lack of any such elements in any of the references cited in the Office Action mailed March 27, 2003. Finally, Applicants discussed the merits of the rejection of the "Beauregard"-style claims (claims 43-45) under 35 U.S.C. §101. The Examiner suggested that the claims be amended or withdrawn to advance the case.

Rejections under 35 U.S.C. §103

In the Office Action mailed March 27, 2003, the Examiner rejected claims 1-38, 43-51 under §103 as unpatentable over Friedland in view of Anderson. As discussed in Applicant's

prior response (which is reiterated herein by reference), neither Friedland nor Anderson, alone or in combination, teach or suggest a search system or method which utilizes "portal tags", "provider tags" or "cross-referencing" (or finding a "corresponding" tag) as recited in each of the independent claims of the present application. As described above in the interview summary, these claimed features allow the system of the present invention to achieve desirable results. There is simply no teaching or suggestion in Friedland or Anderson to provide any of these elements. As a result, neither of the references, alone or in combination, teaches or renders obvious embodiments of the present invention as recited in each of the independent claims. Further, Applicants note that the Friedland reference is concerned with a "distributed live auction" implemented via the Internet. The McGovern reference is concerned with an interactive computer-based employment recruiting service. It is respectfully submitted that neither of these references is particularly pertinent to the present invention, which is generally concerned with improving handling of content search requests. Applicants respectfully request that the rejections under 35 USC §103 be withdrawn.

Rejections under 35 U.S.C. §101

Also as discussed in the interview, Applicants have reviewed claims 43-45 to ensure that the claimed embodiments provide concrete, useful and tangible output. After careful review of claims 43-45 and current law, Applicants believe that the article of manufacture that enables and/or conducts searches of distributed content using a tagging system cross-reference does indeed provide the requisite concrete, useful and tangible output. For example, a user initiating a search of distributed content is provided with content that meets the search criteria. Providing tangible content (or transmitting content, as in claim 45), particularly with the advantages of embodiments as described herein, falls within the acceptable standards governing the application of 35 U.S.C. §101. Further, Applicants respectfully assert that the claims are in a proper format, and that computer code, claimed by itself, has been widely accepted as a proper claim form. Claims in this format were specifically acknowledged by the USPTO as constituting patentable subject matter under 35 USC §101, as evidenced by the order entered in the Beauregard case. The Examiner's Art Unit issues patents having these claims frequently. As examples, Applicants

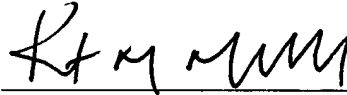
respectfully refer the Examiner to U.S. Patent Nos. US 6,564,192 and US 6,574,635 which include various styles of computer program product claims which were deemed patentable.

Applicants respectfully request withdrawal of the rejection of claims 43-45, or further details of the alleged failure to meet the requirements of §101.

Conclusion

Accordingly, Applicants respectfully assert that each of the claims are patentable over the reference cited (alone or in combination with other references). Applicants therefore respectfully request that the rejections be withdrawn and the claims allowed. If any issues remain, or if the Examiner has any further suggestions for expediting allowance of the present application, the Examiner is kindly invited to contact Kurt M. Maschoff using the information provided below.

Respectfully submitted,



June 27, 2003

Date

Kurt M. Maschoff
Registration No. 38,235
Buckley, Maschoff, Talwalkar & Allison LLC
Five Elm Street
New Canaan, CT 06840
(203) 972-0081